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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT TACOMA

10 BRENDA JOHNSON,

11 Plaintiff,

12 v.

13 UNITED STATES, TACOMA POLICE,  
RAMAOZ, Tacoma Police Officer,

14 Defendants.

CASE NO. 21-5225 RJB

ORDER ADOPTING REPORT AND  
RECOMMENDATION

15 THIS MATTER comes before the Court on the Report and Recommendation of U.S.  
16 Magistrate Judge Theresa L. Fricke. Dkt. 13. The Court has considered the Report and  
17 Recommendation and the remaining file. No objections were filed.

18 This matter has been referred to U.S. Magistrate Judge Theresa L. Fricke for review of  
19 the Plaintiff's application to proceed *informa pauperis* ("IFP"). Dkt. 1. On July 22, 2021, the  
20 court identified deficiencies in the proposed complaint and ordered the Plaintiff to show cause  
21 why the case should not be dismissed without prejudice for failure to state a claim. Dkt. 9. In  
22 the alternative the Plaintiff was given an opportunity to file a proposed amended complaint. *Id.*  
23 The Plaintiff's response to the July 22, 2021 Order to Show Cause was due August 13, 2021. *Id.*  
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1 The Plaintiff did not respond. The Report and Recommendation recommends that the case be  
2 dismissed without prejudice for failure to prosecute. Dkt. 13.

3 The Report and Recommendation (Dkt. 13) should be adopted. The Plaintiff has been  
4 given ample time to file a proposed amended complaint and has failed to do so. Instead, she has  
5 filed a motion for the undersigned to recuse, which was denied. The case dismissed without  
6 prejudice for failure to prosecute.

7 **ORDER**

8 It is **ORDERED** that:

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- The Report and Recommendation (Dkt. 13) **IS ADOPTED**; and
  - This case **IS DISMISSED WITHOUT PREJUDICE** for failure to  
10 prosecute.
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12 The Clerk is directed to send uncertified copies of this Order to all counsel of record and  
13 to any party appearing *pro se* at said party's last known address.

14 Dated this 14<sup>th</sup> day of September, 2021.

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16 ROBERT J. BRYAN  
17 United States District Judge

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